

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

IKON OFFICE SOLUTIONS, INC.,

PLAINTIFF,

vs.

MARTHA SOUTHERLAND and
ABS BUSINESS SYSTEMS, INC.,

DEFENDANTS.

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CIVIL ACTION NO. 2:05CV959-WKW

NOTICE CONCERNING SETTLEMENT CONFERENCE AND MEDIATION

Pursuant to the Court's Order of January 12, 2007, Plaintiff IKON Office Solutions, Inc. ("Plaintiff" or "IKON"), by and through its undersigned counsel, Duane Morris LLP, hereby files this Notice Concerning Settlement Conference and Mediation and states as follows:

1. On January 18, 2007, counsel for the parties engaged in a face-to-face settlement conference, as required by the Court's Orders of January 12, 2007 and March 20, 2006. Lee H. Hell, Esquire, attended in person, and Shannon Hampton Sutherland, Esquire, attended via teleconference, each on behalf of Plaintiff IKON. Roderick K. Nelson, Esquire, and Leslie M. Hand, Esquire, attended in person, each on behalf of Defendants Martha Southerland and ABS Business Systems, Inc.

2. The parties discussed their positions and IKON made what it believes to have been a reasonable and fully substantiated settlement proposal at the conference. The parties did not reach a settlement at the conference. The parties have, however, exchanged communications regarding settlement since the conference. IKON is awaiting Defendants' response to its settlement offer; Defendants have indicated that the delay in their response is due to the need to further investigate and confer with their insurer.

3. At this time, the parties do not believe that mediation will assist them in resolving the case short of trial.

Dated: January 25, 2007

Respectfully submitted,

/s/ Shannon Hampton Sutherland

Thomas T. Loder

Shannon Hampton Sutherland

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Attorneys for Plaintiff

IKON Office Solutions, Inc.

CERTIFICATE OF SERVICE

I, Shannon Hampton Sutherland, hereby certify that a true and correct copy of the foregoing Notice Concerning Settlement Conference and Mediation, has been served this 25th day of January, 2007, upon counsel of record as follows:

Via ECF to:

Roderick K. Nelson
Jarrod B. Bazemore
Leslie M. Hand
Spain & Gillon, LLC
2117 2nd Avenue North
Birmingham, AL 35203

/s/ Shannon Hampton Sutherland
Shannon Hampton Sutherland